

REMARKS

In the Office Action of May 18, 2004, claim 7 is objected to, claims 1-20 are rejected under 35 U.S.C. § 101, and claims 15-19 are rejected under 35 U.S.C. § 103(a).

Claims 7 and 15 have been amended herein. Claim 17 has been canceled.

In Claim 7, the informality regarding the range of the voltage has been corrected as required by the Examiner. The range of “2.0 kV to 4.0 25 kV” has been corrected to read “2.0 kV to 4.0 kV.” Thus, it is respectfully submitted that the objection to Claim 7 be withdrawn.

Claim 15 has been amended to include the phrase “silicate glass” between “protective” and “film” on line 2, and on the last line between “protective” and “film.” Support for amended claim 15 can be found, for example, at page 13, lines 13-14, of the specification.

Upon entry of the amendment, Claims 1-16 and 18-20 will be all the claims pending in the application.

Applicants have submitted herewith an unsigned copy of the Declaration under 37 C.F.R. § 1.132 of Mr. Yuji Isoda. A signed copy of the Declaration will be submitted in due course.

Response to the Rejection of Claims 1-20 under 35 U.S.C. § 101

Claims 1-20 are provisionally rejected under 35 U.S.C. § 101 as claiming the same invention as that of claims 1-20 of copending Application No. 09/870,679.

Applicants respectfully submit that a double-patenting rejection cannot be based on an abandoned application since it is not possible for Applicants to obtain a patent on the application.

It is noted that Application No. 09/870,670 is the parent application of the present application. Furthermore, Application No. 09/870,670 was abandoned on May 22, 2004. Thus, in view of the fact that Applicants cannot obtain a patent on the abandoned application, the double patenting rejection should be reconsidered and withdrawn.

Response to the Rejection of Claims 15-19 under 35 U.S.C. § 103

Claims 15-19 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent No. 6,031,236 to Arakawa et al. ("Arakawa") and further in view of U.S. Patent No. 5,055,681 to Tsuchino et al. ("Tsuchino").

It is asserted that (i) that Arakawa provides a transparent film to protect the phosphor layer physically and chemically, and (ii) the protective film of Arakawa is fixed onto the phosphor layer with an adhesive agent.

Applicants' Response

Applicants respectfully submit that the present invention is not rendered obvious by the teachings of Arakawa in view of Tsuchino. Specifically, Applicants submit that neither Arakawa nor Tsuchino teach a stimutable phosphor sheet having a flat support sheet having a frame on its periphery, wherein a stimutable phosphor layer and a glass protective film are, in that order, deposited on the flat support sheet.

The stimutable phosphor sheet of independent Claim 15, however, comprises a support, a vapor deposited stimutable phosphor layer, and a protective silicate glass film, wherein the support has a frame unitedly protruded from a circumference of the support, the phosphor layer is enclosed with the frame, and the protective silicate glass film is airtightly sealed to the frame.

Since the prior art fails to teach all of the elements of the claimed invention, Applicants respectfully submit that a *prima facie* case of obviousness cannot be established.

Applicants additionally submit that the presently claimed phosphor sheet is unexpectedly superior with respect to the closest prior art, Arakawa.

In order to demonstrate the unexpected superiority of the present invention, Applicants submit herewith the Declaration under 37 C.F.R. § 1.132 of Yuji Isoda. In his Declaration, Mr. Isoda explains that comparative evidence of the present invention and stimutable phosphor sheet of Arakawa was described in Japanese Patent Application No. 2000-29903, which is one the priority applications of the present application.

As illustrated in the Declaration, the present invention exhibits unexpectedly superior moisture resistance as compared to the stimutable phosphor sheet of Arakawa (*see* Comparative Example 1 in the Declaration).

Accordingly, it is respectfully submitted that the § 103 rejection be reconsidered and withdrawn.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No. 10/761,328

Q79376

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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